

DATE: February 7, 1995

BQC 95-002

TO: Hospitals

HOSP 2

FROM: Judy Fryback, Director
Bureau of Quality Compliance

SUBJECT: Notification of New Requirement for Medicare Certified Hospitals

Attached is Health Care Financing Administration, Region V, Division of Health Standards & Quality Regional Program Letter No. 95-02. This letter informs us of a new regulation that amends the Governing Body Condition of Participation for Medicare certified hospitals. This regulation became effective on October 1, 1994.

The regulation requires hospitals that perform organ transplants to be members of the Organ Procurement and Transportation Network (OPTN) and to abide by their rules. A copy of the regulation is included with this correspondence. When the interpretive guidelines and survey report form (HCFA-1537) are revised to include this regulation, a data tag will be assigned. This information will be shared with you when it is sent to us.

The Public Health Service will develop requirements that hospitals must follow to assure compliance with OPTN membership rules. You will be informed of further developments and/or when the rule is finalized.

Please share this information with the appropriate staff and direct any questions that you may have to Hospital and Health Services Section Chief, Stephen D. Schlough, P.E., at (608) 266-3878.

JF:SDS:JJF:pw

Attachment

cc: -BQC Staff
-Office of Legal Counsel
-Ann Haney, DOH Admin.
-Kevin Piper, BHCF Dir.
-HCFA, Region V, M. Dykstra
-Illinois State Agency
-Ohio State Agency
-Michigan State Agency
-Indiana State Agency
-Minnesota State Agency
-WI Coalition for Advocacy
-Serv. Employees Intn'l Union
-WI Counties Assn.
-WI Health Info. Mgmt. Assn.
-WI Assn. of Medical Directors
-Admin., Division of Care and Treatment Facilities
-WI Assn. of Hospital SW and Discharge Planners
-WI Hospital Assn.
-Non-LTC BQC Memo Subscribers
-Mark Bunge, BPH
-DD Board

Department of Health & Human Services
Health Care Financing Administration
Region V
105 West Adams Street
15th Floor
Chicago, Illinois 60603-6201

Refer to: CO3

January 1995

Division of Health Standards & Quality Regional Program Letter No. 94-03

SUBJECT: New Requirements for Medicare Certified Hospitals

The purpose of this letter is to apprise you of a new regulation which amends the Governing Body Condition of Participation for Medicare certified hospitals and became effective October 11, 1994.

The regulation adds a requirement at 42 CFR 482.12(c)(5)(ii) which requires hospitals that perform organ transplants to be members of the Organ Procurement and Transplantation Network (OPTN) and abide by OPTN rules. Attached is a copy of the regulation. When the hospital interpretive guidelines and survey report form (HCFA-1537) are revised, this requirement will be included and a data tag assigned.

Currently, the OPTN does not have any rules with which hospitals must comply. The Public Health Service will be developing requirements that hospitals must follow to assure compliance with OPTN membership rules. We have not been advised when these rules will be finalized, but will keep you informed of any further developments. Until then, the new requirement cannot be enforced. A deficiency in this requirement does not exist unless the Secretary has approved the decision to exclude the hospital from the OPTN and has notified the hospital in writing.

If you have any questions, please contact your program representative.

/s/ Illia Villanueva
Acting Branch Chief
Survey & Certification Operations Branch
Division of Health Standards & Quality

Enclosure